

February 4, 2010 NIST Smart Grid Privacy Subgroup Meeting Notes

Minutes by Rebecca Herold

Please send distribution list any necessary corrections or additions.

Thanks to all of you participating and contributing your valuable time and resources to our group's work!

Next full group meeting:

Thursday, February 18, 2010 at 11:00am est

NOTE: We are taking off next week; NO MEETING on February 11!

You all have an assignment! Please be sure to read the meeting notes to the end to see what it is.

Here are my summary notes from today's meeting:

- Tanya reviewed the privacy chapter of the newly published 2nd draft of NISTIR 7628 (see http://csrc.nist.gov/publications/drafts/nistir-7628/draft-nistir-7628_2nd-public-draft.pdf; pages 100 – 115) and provided some discussion about why some changes were made and some sections were cut.
- We had a great discussion of what needs to be addressed in the next, and final, version of the privacy chapter. Here are a few notes from that discussion (since I could not keep track of everyone providing comments, I'm not providing any corresponding names here in the notes. If you want to step forward and claim some of these statements that is perfectly fine!)
 - Ownership of the information, contractual issues, etc. Notion of data stewardship. Depends on where the source of the information is...or does it?
 - Section 4.2.2 was revised. Next version should include more discussion of data stewardship. Who is the "steward" of electricity usage and related information? What are the privacy responsibilities of these "stewards"? Also need to include the term "custodian." And what about "energy consumers"?
 - Don't forget to include notice and choice issues, and expand upon them.
 - Use of data and expiration date for the related use of that data should be considered.
 - Move the stewardship and ownership up to the beginning of the chapter? Let's decide upon this as we go over the new issues that we want to include, along with any other changes we want to make.

- How can individuals (customers, consumers, etc.) control what all these different stewards and custodians do with their information?
- Addressing the "outlier" issues/risks...the "possible" versus the "probable." If we include these risks that are possible but highly unlikely, we risk losing credibility with a large portion of the readers. We need to include strong support for why they (the possible but not probable) risks should be considered, even if they are not likely to happen.
- Need to mention that there are other privacy issues that are important, and basic to maintaining privacy, but that were not unique to the Smart Grid. Perhaps in a short section providing an overview of privacy.
- Use cases: we need to include them; they can be very effectively used to point out the issues that are unique to the Smart Grid.
- Consider the data subjects. Household members, tenants, patients, clients, PEV owners, employees, etc. Expand to international terms and issues. Highlight existing data subjects.
- Consistency of language is very important. Be sure we use terms not only similar to the rest of NISTIR 7628, but also within PAP 10 and PAP 15 (*NOTE: Information on these will be provided in a separate message.*). How is energy information different from "personally identifiable information" or personal information? There are many new types of information not currently under regulatory protection. Also, consider European and Canadian terminology.
- The way the privacy chapter reads it looks like there are two types of security requirements: "should" and "should consider." "Should" is the stronger of the two terms.
- PIA did not address securing non-repudiation. Not a problem in the current environment. There will be a new security section in another part of the NISTIR surrounding non-repudiation. E.g., my HAN sent information, but now I dispute that. Perhaps reference to the other sections in the NISTIR from within the privacy chapter.
- Tanya will schedule a call sometime in the next few weeks to discuss the legal issues section separately with those who are interested in participating in this discussion.
- A few things to keep in mind going forward...
 - We **MUST** start now to incorporate any new information and make any changes to the current verbiage.
 - We **DO NOT** want to wait until the last few days to add new information, or make significant changes. Make your thoughts and suggestions known **NOW!**
 - We want to spend the last couple of weeks before the deadline (yet to be determined, but tentatively the beginning of May) working on wording, layout and readability, not on making any major changes or additions.

- *I'd like to set a tentative date to have the major changes and additions to the final chapter completed by Friday, April 9.*
Let's discuss at our next meeting.

- **ALL MEMBERS TO-DO:**

- Start communicating more actively within this mail list (csctgprivacy@NIST.GOV) your input, concerns, questions, suggestions, etc.
- Each of you, in the next few days, please send the group your answers to the following:
 1. What issues/topics/concerns do you feel were not included in the 2nd published draft of the privacy chapter that need to be *included* in the final version of the chapter? Please provide discussion about why you feel this way. Be sure to point out the unique relationship to the Smart Grid.
 2. What passages within the 2nd published version of the privacy chapter need to be modified, in what way, and why?

We look forward to hearing all your thoughts and views and seeing everyone participate in respectful debate on any issues where there may be differences of opinions.

We are a very diverse group, coming from many different perspectives, which is fantastic for our group's goal of creating feasible, practical, privacy ~~recommendations~~ suggestions that will be of most value...to consumers, utilities, vendors, and all others that are part of the Smart Grid...to all our privacy chapter readers! And, hopefully, to those lawmakers and standards makers who will use our document in making strong policies and regulations.

One more thing...as we are working on the next, final version, always keep in mind that we must be sure to frame the issues/concerns/etc. within the Smart Grid, and point out how they are unique to the Smart Grid.

Thanks!

Rebecca